

Attorney Docket: BHT/3204-35

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : CHEN  
Application No. : 09/832,808  
Filed : April 12, 2001  
Title : REMOTE-END ROUTE-CALCULATING  
NAVIGATION SYSTEM  
Group Art Unit : 3661  
Examiner : G. Chin  
Attorney Docket : BHT/3204-35

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DEC 22 2003  
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VIA FACSIMILE - 9 PAGES  
(703-305-7687)

**MAIL STOP PETITION BRANCH**  
Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL COVER SHEET**

Sir:

Transmitted herewith for filing are the following:

1. PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON FAILURE TO RECEIVE OFFICE ACTION.
2. APPENDICES A-E.

The Commissioner is hereby authorized to charge any fees which may be required for the filing of this document to Deposit Account No. 501874.

Respectfully submitted,

Date: December 23, 2003

By:

  
Bruce H. Troxell  
Reg. No. 26,592

TROXELL LAW OFFICE PLLC  
5205 Leesburg Pike, Suite 1404  
Falls Church, Virginia 22041  
Telephone: 703 575-2711  
Telefax: 703 575-2707

Attorney Docket: BHT/3204-35

#Petition  
J.D.  
3/11/04  
SB

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT  
BASED ON FAILURE TO RECEIVE OFFICE ACTION

Sir:

The undersigned hereby petitions the Commissioner for Patents to withdraw the holding of abandonment in the above-identified U.S. patent application based on failure to receive an Office Action, as set forth in MPEP § 711.03(c)II.

On April 30, 2003, the undersigned submitted a Request for Continued Examination (RCE), Revocation of Power of Attorney and Appointment of New Attorney, a Change of Address Form, a Preliminary Amendment, a Petition for a Three-Month Extension of Time along with check no. 7468 for \$840 to cover the extension and filing fees. A copy of the receipt card bearing the date-stamp of the U.S. Patent and Trademark Office mailroom is attached hereto as Appendix A.

On October 24, 2003, a Notice of Acceptance of Power of Attorney was received. The Notice of Acceptance of Power of Attorney was mailed on October 21, 2003.

A Notice of Abandonment was received by the undersigned on November 18, 2003 bearing the mailing date of November 13, 2003. The Notice of Abandonment

Application No. 09/832,808

indicated that this application was abandoned due to Applicant's failure to timely pay the required Issue Fee. A copy of the Notice of Acceptance of Power of Attorney is attached hereto as Appendix B and a copy of the Notice of Abandonment is attached hereto as Appendix C.

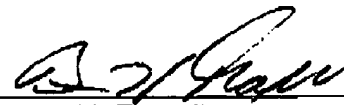
Applicant believes that a Notice of Allowance was mailed on June 4, 2003, and a Notice of Allowability was mailed on either June 2, 2003, or with the Notice of Allowance on June 4, 2003. The undersigned never received the Notice of Allowance, or the Notice of Allowability. A search of the file jacket for this application and the docket records indicates that neither the Notice of Allowance, nor the Notice of Allowability were received. A copy of the docket records for September 4, 2003, and September 2, 2003, are attached hereto as Appendices D and E. No record of the present application can be found in either of the aforementioned docket records.

It is requested that this application be returned to pending status and that the Notice of Allowance be reissued.

Respectfully submitted,

Date: December 23, 2003

By:

  
Bruce H. Troxell  
Reg. No. 26,592

Troxell Law Office PLLC  
5205 Leesburg Pike, Suite 1404  
Falls Church, Virginia 22041  
Telephone: 703 575-2711  
Telefax: 703 575-2707

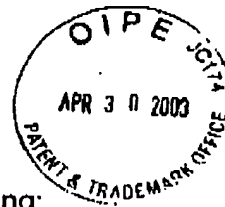
**APPENDIX A**

S/C 4-30-04 (20)

**CLIENT:** EVERS  
**Due Date:** April 30, 2003

**Attorney Docket:** BHT/3204-35  
**Initials:** BHT/mg

**Applicant** : CHEN  
**Application No.** : 09/832,808  
**Filed** : April 12, 2001  
**Title** : REMOTE-END ROUTE-CALCULATING  
NAVIGATION SYSTEM  
**Group Art Unit** : 3661  
**Examiner** : G. Chin  
**Docket No.** : BHT/3204-35



Transmitted herewith for filing are the following:

1. TRANSMITTAL COVER SHEET.
2. REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL.
3. REVOCATION OF POWER OF ATTORNEY AND APPOINTMENT OF NEW ATTORNEY.
4. CHANGE OF ADDRESS.
5. PRELIMINARY AMENDMENT.
6. Petition for Three-Month Extension of Time.
7. Check No. 7468 for \$840 (extension \$465; filing fee \$375).

Receipt is hereby acknowledged by the U.S. Patent and Trademark Office of the above-identified papers.



# APPENDIX B

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1419  
Alexandria, Virginia 22313-1419  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/832,808	04/12/2001	Stephen Chen	MR2387-229 3204-35

Bruce H. Troxell  
5205 Leesburg Pike  
Suite 1404  
Falls Church, VA 22041

CONFIRMATION NO. 1419

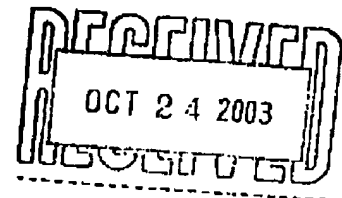
OC000000011068937

Date Mailed: 10/21/2003

### NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/10/2003.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.



ALLEN M WILLIS  
OPPD Q-

ATTORNEY/APPLICANT COPY



## APPENDIX C

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,808	04/12/2001	Stephen Chen	MR2387-220	3204-35419
7390 Bruce H. Troxell 5205 Leesburg Pike Suite 1404 Falls Church, VA 22041			EXAMINER CHIN, GARY	
			ART UNIT	PAPER NUMBER
			3661	

DATE MAILED: 11/13/2003

p #16

Please find below and/or attached an Office communication concerning this application or proceeding.

## APPENDIX C - Page 2



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
 Washington, D.C. 20231

APPLICATION NUMBER 09/832,808	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
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DATE MAILED:

p 116

## NOTICE OF ABANDONMENT

This application is abandoned in view of:

- ☐ Applicant's failure to timely file a proper response to the Office letter mailed on \_\_\_\_\_.
- ☐ A response (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_, which is after the expiration of the period for response (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
- ☐ A proposed response was received on \_\_\_\_\_, but it does not constitute a proper response to the final rejection.

(A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC).

- ☐ No response has been received.
- ☒ Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.
- ☐ The issue fee (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_.
- ☐ The submitted issue fee of \$ \_\_\_\_\_ is insufficient. The issue fee required by 37 CFR 1.18 is \$ \_\_\_\_\_.
- ☒ The issue fee has not been received.
- ☐ Applicant's failure to timely file new formal drawings as required in the Notice of Allowability.
- ☐ Proposed new formal drawings (with a Certificate of Mailing or Transmission of \_\_\_\_\_) were received on \_\_\_\_\_.
- ☐ The proposed new formal drawings filed \_\_\_\_\_ are not acceptable.
- ☐ No proposed new formal drawings have been received.
- ☐ The express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on \_\_\_\_\_.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interferences rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:

**ABANDONMENT**  
**CONTACT PERSON IS:**  
**TOM HAWKINS**  
**305-8380**

FORM PTO-1432 (REV. 10-95)

APPENDIX D

THURSDAY

4

SEPTEMBER

10/342,183	LIU	<del>filed 5-5-03 MBH</del> 3167-90	DRUGS. DEADLINE	BHT
76/446,216	"MS-CSP"	<del>ABANDONED IC 5-27-03 MBH</del> 3226-12	RESP. DEADLINE	BHT
76/348,942	"CAMDEN"	<del>filed 9-3-03 MBH</del> 3153-25	SOU DUE	BHT
76/348,929	"THAMES"	<del>filed 9-3-03 MBH</del> 3153-19	SOU DUE	BHT
10/060,357	LIEW	<del>filed 6-4-03 MBH</del> 3126-141	RESP. DEADLINE	BHT
10/301,751	PAI	<del>filed 9-3-03 MBH</del> 3215-17	RESP. DUE	BHT
09/945,843	LIN	<del>filed 8-4-03 MBH</del> 3092-242	IF DEADLINE	BHT
10/187,979	KUO	<del>filed 9-3-03 MBH</del> 3098-120	RESP. DUE	BHT
09/651,588	HUANG	<del>Extend me</del> 3101-80	ⓔ RESP. DUE	BHT
10/097,941	HUANG	<del>ABANDONED IC 7-8-03 MBH</del> 3123-68	RESP. DUE	BHT
10/166,110	NIEN	<del>filed 9-3-03 MBH</del> 3125-99	RESP. DUE	BHT
10/058,324	SU	<del>Extend me</del> 3129-65	RESP. DUE	BHT
10/036,504	CHANG	<del>filed 8-2-03 MBH</del> 3111-227	RESP. DUE	BHT
10/154,805	CHANG	<del>Extend me</del> <del>ABANDONED IC fix? 5-3-04</del> 3111-252	RESP. DUE	BHT
76/351,271	"AUDIO PHILOSOPHY"	<del>filed 9-3-03 MBH</del> 3126-151	RESP. DEADLINE	BHT
10/366,621	CHANG	<del>filed 9-3-03 MBH</del> 3126-155	RESP. DUE	BHT



2003 245th day - 120 days follow

## APPENDIX E

TUESDAY

2

SEPTEMBER

156050(I) THH <sup>filed 5-28-03 MBH</sup> 3129-94 Deadline (6-mo) GRACE Period - Permitted BHT  
~~ABANDONED FC 11-17-03 MBH~~  
 76/473, 864 "STORMRIDER" 3105-15 RESP. REM. BHT  
~~filed 12-1-03 MBH~~  
 76/474, 358 "CONCORD" 3105-17 RESP. REM. BHT  
~~filed 9-2-03 MBH~~  
 29/173, 074 YAO 3117-110 RESP. DUE BHT  
~~filed 9-24-03 MBH~~  
 09/772, 897 MORIN 3136-10 IF & DWGS REM. BHT  
~~Paid 9-24-03 MBH~~  
 09/841, 121 LIAO 3107-166 IF REM. BHT  
~~Paid 9-24-03 MBH~~  
 10/044, 982 CHEN 3167-35 IF REM. BHT  
~~Paid 9-17-03 MBH~~  
 10/329, 344 HUANG 3127-47 IF REM. BHT  
~~ABANDONED~~  
 09-543, 334 Wong 3107-41 due + 2x to (FR) 4-2 BHT